

(36)
5/2/02
lp

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM, : 4:CV-01-0083
Plaintiff : (Judge McClure)

v. :

SCOTT DOWNEY, ROGER MORRISON,
DAVID GRAYBILL and :
MICHAEL SWEGER, :

Defendants

FILED
WILLIAMSPORT, PA

MAY - 2 2002

MARY E. D'ANDREA, CLERK
Per lf
Deputy Clerk

ORDER

May 2, 2002

BACKGROUND:

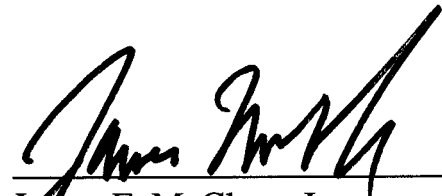
On April 10, 2002, the court entered an order dismissing the complaint as against all defendants. On April 16, 2002, plaintiff filed a notice of appeal from that order to the United States Court of Appeals for the Third Circuit. On April 24, 2002, defendant Roger Morrison filed a motion for attorney's fees and associated expenses. Also, on April 24, 2002, a motion was filed collectively on behalf of all defendants, including Roger Morrison, to enlarge the time to file for attorney's fees and costs until resolution of plaintiff's appeal. As counsel for Morrison signed both motions, it would appear that he is at least seeking a deferral of the briefing of his motion for attorney's fees and associated expenses until disposition of the pending

appeal.

As the motion for enlargement of time sets forth fully therein the reasons for the request, no supporting brief is required. LR 7.5. As movants certify that plaintiff does not concur, she will be directed to file a response stating her reasons for the nonconcurrence.

NOW, THEREFORE, IT IS ORDERED THAT:

Plaintiff shall file and serve on or before May 17, 2002 a statement setting forth her reasons for not concurring in defendants' collective motion to enlarge time to file for attorneys' fees and costs.



James F. McClure, Jr.
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

May 2, 2002

Re: 1:01-cv-00083 Beam v. Downey

True and correct copies of the attached were mailed by the clerk
to the following:

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cc:

Judge () () Pro Se Law Clerk

Magistrate Judge () () INS

U.S. Marshal () () Jury Clerk

Probation ()

U.S. Attorney ()

Atty. for Deft. ()

Defendant ()

Warden ()

Bureau of Prisons ()

Ct Reporter ()

Ctroom Deputy ()

Orig-Security ()

Federal Public Defender ()

Summons Issued () with N/C attached to complt. and served by:

U.S. Marshal () Pltf's Attorney ()

Standard Order 93-5 ()

Order to Show Cause () with Petition attached & mailed certified mail

to: US Atty Gen () PA Atty Gen ()

DA of County () Respondents ()

Bankruptcy Court ()

Other press (✓)

MARY E. D'ANDREA, Clerk

DATE: 5/2/02BY: lp
Deputy Clerk